

FILED

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

Central District of California

Division

2022 MAY 16 AM 10:02

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY

ARSEN MANSON

Case No. **LACV22-3294-DMG-JCX**
(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

THE UNITED STATES

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☒ Yes ☐ NoCOMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	ARSEN MANSON		
Address	5261 EAGLEDALE AVE., #14		
	LOS ANGELES	CA	90041
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	LOS ANGELES		
Telephone Number	818.221.5888		
E-Mail Address	organicfarms@gmail.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	KAMALA D. HARRIS		
Job or Title (if known)	VICE PRESIDENT OF THE UNITED STATES		
Address	1800 G Street NW.,		
	WASHINGTON	DC	20502
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	District of Columbia		
Telephone Number	202-395-5084		
E-Mail Address (if known)	www.whitehouse.gov		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	PHILIP S. GUTIERREZ		
Job or Title (if known)	U.S. CENTRAL DISTRICT COURT OF CA JUDGE		
Address	350 West 1st St, room 6A, 6th Floor		
	LOS ANGELES	CA	90012
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	LOS ANGELES		
Telephone Number	(669) 254-5252		
E-Mail Address (if known)	www.cacd.uscourts.gov		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 3

Name COREY J. ROBINS
 Job or Title (if known) DEPUTY ATTORNEY GEHERAL
 Address 300 SOUTH SPRING STREET, SUITE 1702
 LOS ANGELES CA 90013
 City State Zip Code
 County LOS ANGELES
 Telephone Number 213-576-1343
 E-Mail Address (if known) DocketingLAAWT@doj.ca.gov

☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name DEA
 Job or Title (if known) United States Drug Inforcement Administration
 Address 255 East Temple Street, 17th Floor
 LOS ANGELES CA 90012
 City State Zip Code
 County LOS ANGELES
 Telephone Number (213) 621-6700
 E-Mail Address (if known) www.dea.gov

☐ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☒ Federal officials (a *Bivens* claim)
☐ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials? The Due Process Clause guarantees “due process of law” before the Government may deprive someone of “life, liberty, or property.” The Clause does not prohibit the Government from depriving someone of “substantive” rights such as life, liberty, or property, AS WELL AS THE EQUAL PROTECTION OF THE 14th AMENDMENT OF THE U.S. CONSTITUTION.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

An implied cause of action existed for an Arsen Manson, president of Healthbudpro Inc. whose Fourth Amendment freedom from unreasonable search and seizures had been violated by the Federal Bureau of Narcotics Drug Enforcement Administration (DEA), seizures from business, from cars, from private home and denied to return property or equity. Violations of 14th Amendment Rights by State of CA and Federal authority in the Post Conviction Relief Proceeding.

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
- THE DEFENDANTS ERRONEOUSLY CONVICTED PLAINTIFF UNDER THE COLOR OF U.S. STATES LAW WHEN THEY MADE ARREST IN THEIR UNIFORM AND INITIATED THE PROCESS on 3/13/2013, in the LA County case #MA059036, THE PEOPLE V. A. MANSON. FOUND GUILTY BY JURY on 4.5 YEARS IN STATE PRISON AND COUNTY JAIL. On 6/12/2019 case #MA059036 WAS FULLY DISMISSED, BUT DENIED TO DUE PROCESS CLAUSE OF LAW.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
PUBLIC PERMITTED STORE LOCATED on 45600 SIERRA HWY., LANCASTER, CA 93534; 3/2 ON 1/2 ACRE PRIVATE HOME ADDRESS IS 10552 EAST AVENUE R-14, LITTLEROCK, CA 93543.
- B. What date and approximate time did the events giving rise to your claim(s) occur?
ON 6/12/2019, WHEN CASE WAS FULLY DISMISSED, OR FOUND NOT GUILTY, BUT DENIED TO DUE PROCESS CLAUSE OF LAW OR 14th AMENDMENT OF THE U.S. CONSTITUTION.
- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)
EVIDENCE IN THE ORIGIN CASE WAS NOT THE FELONY AND NOT MISDEMEANOR, BECOUSE WORK LEGAL AND PERMITTED BY STATE OF CALIFORNIA. VIOLATION BY DEFENDANTS TO DUE PROCESS OF LAW AND NOW DUE PROCESS CLAUSE OF LAW 14th AMENDMENT RIGHTS. DISCRIMINATION TO DUE PROCESS OF LAW IN THE CASES; LA County Superior Court ERRED in the origin case #MA059036; ERROR made in the Second Appellate District Court of CA in the case #B253254 and case #B271075; Error made by Supreme Court of CA case #S233840; Error made by the U.S. States Central District Court of California in the case #CV16-1422-PSG-SP and in the case #CV-16-3737-PSG-SP and now in the case #2:21-CV-03054-PSG-AFM, filed on 4/8/2021.
- United States law allows an individual who believes that his or her constitutional rights have been violated to bring a civil action against the government to recover the damages sustained as a result of that violation. MORE THAN 9 YEARS AND 2 MONTHS I AM 62 YEARS OLD, MY MOM 87 YEARS OLD AND MY SON 23 YEARS OLD UNDER UNCONSTITUTIONALITY DISCRIMINATION TO DUE PROCESS OF LAW OR VIOLATIONS TO DUE PROCESS CLAUSE OF THE LAW.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

THE PLAINTIFF HAD TO BEAR THE BURDEN OF DEFENDING THE LITIGATION. HAD THEIR CIVIL RIGHTS INFRINGED UPON AND THE DEFENDANTS HAVE TAKEN \$90,000 WORTH OF THE PLAINTIFFS PROPERTY, THE PLAINTIFF WAS FALSELY IMPRISONED FOR A PERIOD OF 2 YEARS AND 1 MONTHS AND 1 YEARS OF PROBATION. WRONGFULLY AND UNEQUALLY IN VIOLATION OF THEIR CIVIL RIGHTS. AS WELL AS PAIN AND SUFFERING EMOTIONAL DISTRESS FOR THE FAMILY AS A RESULT OF THE CONDUCT DESCRIBED HEREIN (LOST 3/2 HOUSES ON 1/2 ACRE LAND).

UNDER PROPOSITION 64 ADULT USE ACT PLAINTIFFS RIGHTS ON POST CONVICTION RELIEF PROCESSING WAS UNCONSTITUTIONALITY VIOLATED (MARSYs LAW). MORE THAN 9 YEARS AND 2 MONTHS FAMILY UNDER DISCRIMINATION, UNDER STRESS.

113th CONGRESS 1st Session H.R. 499 IN THE HOUSE REPRESENTATIVES ON 2/5/2013, TO DECRIMINALIZE MARIJUANA AT THE FEDERAL LEVEL, TO LEAVE TO THE STATES A POWER TO REGULATE MARIJUANA THAT IS SIMILAR TO THE POWER THEY HAVE TO REGULATE ALCOHOL.

THIS ACT MAY BE CITED AS THE "ENDING FEDERAL MARIJUANA PROHIBITION ACT OF 2013". UNCONSTITUTIONALITY REFER TO FEDERAL AUTHORITY IN THE CASE TO TITLE 1 - AMENDMENTS TO DECRIMINALIZE MARIJUANA AT THE FEDERAL LEVEL. SECTION 101. DECRIMINALIZATION OF MARIJUANA... IT IS UNCONSTITUTIONALITY ACTION BY DEFENDANTS TO IGNORE IN THE HOUSE REPRESENTATIVES ON 2/5/2013, ACT OF 113th CONGRESS 1st SESSION 499, CONGRESS ACT TO DECRIMINALIZE MARIJUANA AT THE FEDERAL LEVEL OR 5th, 6th and 14 AMENDMENTS OF RIGHTS.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

PROPOSITION 64, RULE OF THE VICTIM It is uncertain whether the Act grants the victim the right to participate in the redesignation process. Section 11361.8, subdivision (l), provides that "[a] resentencing hearing ordered under this act shall constitute a 'post-conviction release proceeding' under paragraph (7) of subdivision (b) of Section 28 or Article I of the California Constitution (Marsy's Law)." The purpose of Marsy's Law is to ensure that victims have the right to participate in any decision which could result in the postsentencing release of an offender redesignation process. Furthermore, section 11361.8, subdivision (g), expressly allows the court to grant the redesignation without any hearing — there is no "resentencing hearing" that would trigger the victim's rights under Marsy's Law. Application of excess custody credits to fees and fines. The resentencing of a felony count may result in a defendant having excess custody credits when applied to the new sentence. The excess credits may be applied to reduce certain fees and fines at the rate of \$125 or more per day. (Pen. Code, § 2900.5, subd. (a).) For crimes committed after July 2013, the credit may apply to all fines except for a restitution fine imposed under Penal Code section 1202.4. Felony warrants;

When a defendant fails to appear on a felony prosecution, the court's standard response is to issue a felony warrant for the defendant's arrest. Court have to recall Arrest Warrant used against Plaintiff (twice denied by Superior Court). Plaintiff Was Rights for Rehabilitation, RIGHTS TO RELIEF UNDER PROPOSITION 64.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 05/16/2022

Signature of Plaintiff

Printed Name of Plaintiff

Arsen
ARSEN MANSON / *Pro se*

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address